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March 5, 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms. Magalie R. Salas, Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re:

In the Matter of
Implementation of Section 309(j) of the
Communications Act – Competitive Bidding for
Commercial Broadcast and Instructional
Television Fixed Service Licenses


File Nos.: MM Docket No. 97-234; GC Docket No.
92-52; GEN Docket No. 90-264

Dear Ms. Salas:

Transmitted herewith on behalf of Roy E. Henderson are an original and four (4) copies of his "Motion to File Late Comments" as directed to the Commission.

Should any additional information be required, please contact this office.

Very truly yours,


Henry E. Crawford
Counsel for
Roy E. Henderson

cc: The Commission
Roy E. Henderson

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Implementation of Section 309(j)
of the Communications Act --
Competitive Bidding for Commercial
Broadcast and Instructional Television
Fixed Service Licenses

MM Docket No. 97-234

Reexamination of the Policy Statement
on Comparative Broadcast Hearings

GC Docket No. 92-52

Proposals to Reform the Commission's
Comparative Hearing Process to
Expedite the Resolution of Cases

GEN Docket No. 90-264

To: The Commission

MOTION TO FILE LATE COMMENTS

Roy E. Henderson ("Henderson"), by counsel, respectfully submits his *Motion to File Late Comments* in connection with the above-captioned matter. In support thereof, the following is stated:

1. Roy E. Henderson ("Henderson") is a broadcaster and entrepreneur with over 25 years of experience as an owner and developer of new broadcast facilities. The knowledge and experience gained by Henderson in the course of this career will be of substantial benefit to the Commission in instituting its new rules for allocating and auctioning broadcast licenses.

2. In essence, Henderson requests that the Commission create a pioneer's preference in the form of a 25% auction bidding credit for parties who undertake the legal and technical showings that are required in rulemakings to

change the Commission's FM Table of Allotments. Henderson has been responsible for allocating dozens of new channels to the FM Table of Allotments. Therefore, his input will be most helpful to the Commission in understanding the economics involved in amending the FM table.

3. No prejudice will arise from accepting these comments since the idea of creating a pioneer's preference of the sort advocated by Henderson has long been a part of this docket. See, Reexamination of the Policy Statement on Comparative Broadcast Hearings (GC Docket No. 92-52), 7 FCC Rcd 2664 (1992) at ¶29. Consequently, there can be no prejudice or surprise as a result of accepting these comments.

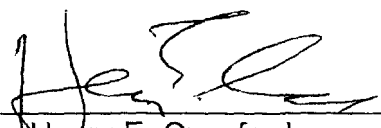
WHEREFORE, based on the above, Roy E. Henderson submits that good cause has been shown for accepting his comments and he respectfully requests that they be accepted for all purposes in this matter.

March 5, 1998

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Respectfully Submitted,

Roy E. Henderson

By: 
Henry E. Crawford
His Attorney